

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**  
  
823173  
PHELAN HALLINAN DIAMOND & JONES, PC  
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Philadelphia, PA 19103  
856-813-5500  
Attorneys for U.S. BANK TRUST, N.A., AS TRUSTEE FOR  
LSF10 MASTER PARTICIPATION TRUST

In Re:

TRACY L. HASSETT A/K/A TRACY HASSETT



**Order Filed on July 19, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey**

Case No: 18-19887 - ABA

Hearing Date: June 4, 2019

Judge: Andrew B. Altenburg, Jr

Recommended Local Form:



Followed




Modified

**ORDER RESOLVING MOTION TO VACATE STAY AND/OR MOTION TO DISMISS WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby **ORDERED**.

**DATED: July 19, 2019**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Applicant: U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST

Applicant's Counsel: Phelan Hallinan Diamond & Jones, PC

Debtor's Counsel: SEYMOUR WASSERSTRUM, Esquire

Property Involved ("Collateral"): 821 THOREAU LANE, WILLIAMSTOWN, NJ 08094-3203

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for **13** months, from **6/1/2018 to 6/1/2019**.
- ☒ The Debtor is overdue for **9** payments at **\$1,259.07** per month. \$11,331.63
- ☒ The Debtor is overdue for **4** payments at **\$1,255.99** per month. \$5,023.96
- ☐ The Debtor is assessed for \_\_\_\_\_ late charges at \$\_\_\_\_\_ per month.
- ☐ Applicant acknowledges suspense funds in the amount of **\$423.23**.

Total Arrearages Due **\$15,932.36**.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of **\$2,500.00**. Payment shall be made no later than **6/30/2019**.
- ☒ Beginning on **7/1/2019**, regular monthly mortgage payments shall continue to be made.
- ☒ Beginning on **7/1/2019**, additional monthly cure payments shall be made in the amount of **\$746.24** for **17** months.
- ☒ On **12/1/2020**, additional monthly cure payment shall be made in the amount of **\$746.18**.

☐ The amount of \$\_\_\_\_\_ shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment:

U.S. Bank National Association  
4801 Frederica Street  
Owensboro, Kentucky 42301

☒ Regular Monthly payment:

Same as above

☒ Monthly cure payment:

Same as above

4. In the event of Default:

☒ Should the Debtors fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ In the event the Debtors converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$\_\_\_\_\_, and costs of \$\_\_\_\_\_.

The fees and costs are payable:

☐ Through the Chapter 13 plan. These fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

6. This Agreed Order survives any loan modification agreed to and executed during the instant bankruptcy.

**Certificate of Notice Page 5 of 5**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Tracy L Hassett  
 Debtor

Case No. 18-19887-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Jul 19, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 21, 2019.

db +Tracy L Hassett, 821 Thoreau Lane, Williamstown, NJ 08094-3203

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 21, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 19, 2019 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
 Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 George C. Greatrex, Jr. on behalf of Creditor Blue Bell Farms Homeowner Association ggreatrex@sgglawfirm.com, kmuchler@verizon.net  
 Isabel C. Balboa ecmail@standingtrustee.com, summarymail@standingtrustee.com  
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecmail@standingtrustee.com, summarymail@standingtrustee.com  
 John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM Financial ecmail@mortoncraig.com, mortoncraige@cf@gmail.com  
 Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
 Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST BY CALIBER HOME LOANS, INC. AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com  
 Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmlawgroup.com  
 Robert Davidow on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
 Robert P. Saltzman on behalf of Creditor DITECH FINANCIAL LLC dnj@pbslaw.org  
 Seymour Wasserstrum on behalf of Debtor Tracy L Hassett mylawyer7@aol.com, ecf@seymourlaw.net  
 Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com, nj.bkecf@fedphe.com  
 Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST smncina@rascrane.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 15